

Attorney Docket No.: 074451.P106

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kurt W. Piersol et al.

Application No.: 09/439,152

Filing Date: November 12, 1999

For: A SYSTEM FOR CAPTURING
FACSIMILE DATA IN AN
ELECTRONIC DOCUMENT
MANAGEMENT SYSTEM

Examiner: Arthur G. Evans

Art Unit: 2622

Mail Stop Petitions

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**PETITION TO WITHDRAW THE HOLDING
OF ABANDONMENT UNDER 37 CFR 1.181(a)**

Dear Sir:

Applicants hereby petition to withdraw the holding of abandonment for the above-referenced abandoned patent application. This application became abandoned on October 14, 2004 for failure to timely file a proper reply to the Office letter mailed on January 14, 2004. Applicants, however, submit that an Amendment and Response to the Office letter was timely mailed on April 12, 2004.

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on:

Date of Transmission October 21, 2004

Ines Francetic

(Typed or printed name of person transmitting paper)

Ines Francetic
(Signature of person transmitting paper)

Enclosed is a copy of a postcard receipt date-stamped April 15, 2004. Also enclosed are copies of the Fee Transmittal (including the certificate of mailing) and the Amendment and Response to the Office Action (including the certificate of mailing).


Applicants hereby petition that the holding of abandonment be withdrawn.

Please charge any shortages or credit any overages to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Dated: 10/21, 2004



Kevin G. Shao
Reg. No. 45,095

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8300

 *** TX REPORT ***

TRANSMISSION OK

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 CONNECTION TEL 17033085397
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 12400 WILSHIRE BOULEVARD, 7TH FLOOR
 LOS ANGELES, CA 90025

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FACSIMILE COVER SHEET

Deliver to: Arthur G. Evans, USPTO

Art Group: 2622

Facsimile No.: 703-308-5397

Date: October 21, 2004

From: Kevin G. Shao, Reg. No. 45,095

Our Docket No.: 74451P106

Number of pages 18 including this sheet.

Application No.: 09/439,152

Filing Date: 11/12/1999

Docket Due Date(s): 1/14/2005

Enclosed are the following documents:

- | | |
|--|--|
| <input type="checkbox"/> Amendment (___ pgs) | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Appeal Brief (in triplicate) (___ pgs) | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Application: _____
(.. ___ pgs) w/cover & abstract) | <input checked="" type="checkbox"/> Petition for: <u>Withdrawal of Abandonment</u> |
| <input type="checkbox"/> Assignment & Cover Sheet (.. ___ pgs) | <input type="checkbox"/> Request for Continued Examination (RCE) |
| <input checked="" type="checkbox"/> Certificate of Facsimile _____ | <input type="checkbox"/> Reply Brief (___ pgs) |
| <input type="checkbox"/> Continued Prosecution Application (CPA) | <input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i) |
| <input type="checkbox"/> Declaration & POA (___ pgs) | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request |
| <input type="checkbox"/> Drawings: ___ sheets, ___ figures | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input type="checkbox"/> Extension of Time: _____ | <input type="checkbox"/> Response to Written Opinion (___ pgs) |
| <input type="checkbox"/> Fee Transmittal (in duplicate) | <input type="checkbox"/> Terminal Disclaimer |
| <input type="checkbox"/> IDS & PTO/SB/08 (___ pgs) | <input type="checkbox"/> Transmittal of Publication Fee Due |
| <input checked="" type="checkbox"/> Other Copy of date-stamped postcard (1 pg), copy of Fee Transmittal (2 pgs), copy of Amendment and Response (12 pgs) | <input type="checkbox"/> Transmittal Letter |

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|---|--|
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| <input type="checkbox"/> Application: _____
(____ pgs) w/cover & abstract | <input checked="" type="checkbox"/> Petition for: <u>Withdrawal of Abandonment</u> |
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| <input checked="" type="checkbox"/> Certificate of <u>Facsimile</u> | <input type="checkbox"/> Reply Brief (____ pgs) |
| <input type="checkbox"/> Continued Prosecution Application (CPA) | <input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i) |
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CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.84)

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/439,152	11/12/1999	KURT W. PIERSOL	74451.P106	1294

7590 10/14/2004
MICHAEL J MALLIE
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LOS ANGELES, CA 90025

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OCT 18 2004

BLAKELY, SOKOLOFF TAYLOR & ZAFMAN LLP
LOS ANGELES

EXAMINER

EVANS, ARTHUR G

ART UNIT	PAPER NUMBER
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2622

9

DATE MAILED: 10/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

ENTERED

OCT 20 2004

STATUS DB-LA

Date 1/14/2005 Client: Ricoh Corporation
Docket Initials NA 74451.P106
Dock. Sup. Initials _____
Atty Initials _____ MJM KGS
Pat/Ser/Reg 439152

Description: 39 x

Deadline to revive abandoned application

10/20/2004 Natalie Adair 334996

Date 12/14/2004 Client: Ricoh Corporation
Docket Initials MY 74451.P106
Dock. Sup. Initials _____
Atty Initials _____ MJM KGS
Pat/Ser/Reg 439152

Description: 39r
Reminder: Deadline to revive abandoned application is 1/14/05

10/20/2004 Natalie Adair 334998

Notice of Abandonment

Application No.

09/439,152

Examiner

Arthur G. Evans

Applicant(s)

PIERSOL ET AL.

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 14 January 2004.

(a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.

(b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.

(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).

(c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).

(d) ☒ No reply has been received.

2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).

(a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).

(b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.

The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.

(c) ☐ The issue fee and publication fee, if applicable, has not been received.

3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).

(a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.

(b) ☐ No corrected drawings have been received.

4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

7. ☐ The reason(s) below:

ARTHUR G. EVANS
SENIOR PRIMARY EXAMINER

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

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OCT 25 2004

BLAKELY, SOKOLOFF TAYLOR & ZAFMAN LLP
LOS ANGELES

Application No.: 09/439,152 Filing Date: 11/12/1999 BSTZ Docket #: 74451.P106 Atty/Sec MJM/KGS/cb
Date Mailed 10-12-04 Docket Due Date(s): Client: RICOH CORPORATION
Title A SYSTEM FOR CAPTURING FACSIMILE DATA IN AN ELECTRONIC DOCUMENT MANAGEMENT SYSTEM

Inventor(s) Piersol, Ito

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- | | |
|---|--|
| <input type="checkbox"/> Amendment: (<u> </u> pgs) | <input type="checkbox"/> Information Disclosure Statement & PTO/SB/08 (<u> </u> pgs) |
| <input type="checkbox"/> Appeal Brief & two copies (<u> </u> pgs) | <input type="checkbox"/> Issue Fee Transmittal (original & copy) |
| <input type="checkbox"/> Application:
(<u> </u> pages w/ cover & abstract) | <input type="checkbox"/> Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i) |
| <input type="checkbox"/> Application Amended to Reflect Claim of Priority | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Assignment & Cover Sheet (<u> </u> pgs) | <input type="checkbox"/> Petition for: <u> </u> |
| <input checked="" type="checkbox"/> Certificate of Mailing | <input type="checkbox"/> Request for Continued Examination (RCE) |
| <input type="checkbox"/> Continued Prosecution Application (CPA) | <input type="checkbox"/> Reply Brief (<u> </u> pgs) |
| <input type="checkbox"/> Declaration & PGA (<u> </u> pgs) | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request |
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| <input type="checkbox"/> Express Mail No: <u> </u> | <input type="checkbox"/> Terminal Disclaimer |
| <input type="checkbox"/> Extension of Time: <u> </u> | <input type="checkbox"/> Transmittal of Formal Drawings |
| <input type="checkbox"/> Fee Transmittal (original & copy) | <input type="checkbox"/> Transmittal of Publication, Fee Due |
| <input checked="" type="checkbox"/> Other <u>Request for Status</u> | <input type="checkbox"/> Transmittal Letter |
| | <input type="checkbox"/> Check No. <u> </u> in the Amount of <u> </u> |
| | <input type="checkbox"/> Check No. <u> </u> in the Amount of <u> </u> |

SV

Assignee: Ricoh Co., Ltd.

